

150 FERC ¶ 62,038
UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

Puget Sound Energy

Project No. 2150-126

ORDER AMENDING ARTICLE 601 ANNUAL REPORT FILING DATE

(Issued January 16, 2015)

1. On September 15, 2014, Puget Sound Energy (licensee) filed a request to amend the filing dates for annual reports required under Settlement Agreement (SA) Article 601 of the license for the Baker River Project.¹ The Baker River Project consists of the Lower Baker Development and the Upper Baker Development. The project facilities are located on the Baker River in Skagit and Whatcom counties, Washington, and currently occupy federal lands within the Mt. Baker-Snoqualmie National Forest administered by the U.S. Forest Service.

BACKGROUND

2. Ordering paragraph (F) of the license requires the licensee to comply with the conditions of the SA.² Article 601 of the SA requires the licensee to convene a meeting with the Baker River Coordinating Committee (BRCC) at least once annually, and to provide an annual report summarizing the activities of the BRCC, Terrestrial Resources Implementation Group, Recreation Resources Group, Aquatic Resources Group, and Cultural Resources Advisory Group during the preceding year as required by SA articles 102, 201, 301, 501, 601, and 602 to each of the members of the BRCC, any of the Resource Group members who request a copy, and to the Federal Energy Regulatory Commission (Commission). Further, SA Article 601 states that annual reports are to be filed with the Commission no later than 90 days following the anniversary of the effective date of the license (i.e., by January 17).

¹ Order on Offer of Settlement, Issuing New License, and Dismissing Amendment Application as Moot. 125 FERC ¶ 62,064 (issued October 17, 2008).

² The SA was filed with the Commission on November 30, 2004, and was amended by errata filed May 10, 2005, and July 5, 2005. The articles and attachments from the SA are attached to the license as Appendix A.

LICENSEE'S PROPOSAL

3. The filing date for the Article 601 report is inconsistent with the annual reporting schedule for multiple aquatic, cultural, recreation, and terrestrial resource articles under the SA, which the licensee also requested to amend in its September 2014 filing. Accordingly, the licensee's proposal would coincide with its reporting schedules proposed in its September 2014 filing for SA articles 102, 201, 301, and 501. The licensee states that revision of the reporting schedule would streamline the reporting process and better conform to other reporting requirements under the project license and associated SA. In addition, the licensee states that amending the annual reporting date would provide more consistent reporting periods, improve the timeliness of the reports, and eliminate redundant review processes by the Resource Groups. The licensee proposes to amend its current reporting schedule under SA Article 601 to December 31 annually. As a result, the licensee would provide its draft report for the previous calendar year (January 1 to December 31) to the BRCC by September 30, and the final Article 601 report would be filed with the Commission annually by December 31.

BRCC CONSULTATION

4. The licensee's filing included documentation of consultation with the BRCC and stated that its revised reporting schedule was approved by consensus of the BRCC members on July 31, 2014.

CONCLUSION

5. The licensee's proposal to amend its annual reporting schedule under SA Article 601 will allow scheduling consistency for filing numerous other reports required under the project license and associated SA and allow the annual reports of each resource group's activities to be included in the same documents as reports on BRCC activities. Therefore, the licensee's amended schedule as proposed should be approved.

The Director orders:

(A) Puget Sound Energy's (licensee) request to amend its annual report filing date under Settlement Agreement (SA) Article 601, filed September 15, 2014, is approved. The licensee must file its corresponding report with the Federal Energy Regulatory Commission (Commission) by December 31 annually.

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(B) This order constitutes final agency action. Any party may file a request for rehearing of this order within 30 days from the date of its issuance, as provided in section 313(a) of the Federal Power Act, 16 U.S.C. § 825l (2012), and the Commission's regulations at 18 C.F.R. § 385.713 (2014). The filing of a request for rehearing does not operate as a stay of the effective date of this order, or of any other date specified in this order. The licensee's failure to file a request for rehearing shall constitute acceptance of this order.

for Thomas J. LoVullo
Chief, Aquatic Resources Branch
Division of Hydropower Administration
and Compliance

Document Content(s)

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